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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Antonelli, Terry, Stout & Kraus, LLP
Suite 1800
1300 North Seventeenth Street
Arlington, VA 22209

EXAMINER

HANNE, SARA M

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/698,260

Applicant(s)

TUSYOSHI KAWABE, MITSUE ITO,
HIROTADA UE

Examiner

Sara M Hanne

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 7-13 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 14-20, 22-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group 1, Claims 1-6, 14-20 and 22-30 in the reply filed on 4/8/04 is acknowledged.
2. Claims 7-13 and 21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. The applicant is reminded to cancel these nonelected claims of Group II.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

4. Claims 1-6, 14-20 and 22-30 are objected to because of the following informalities: recitation of the abbreviation "CG" is improper. This term is not commonly well known and must be defined within the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 4-6, 16-18 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 recites the limitation "said CG studio coordinate" in lines 9 and 11. There is insufficient antecedent basis for this limitation in the claim. Claims 5-6 and 17-18 are rejected on their dependency to Claims 4 and 16.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-5, 14-17, 19-20, 22, 29 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Merrill et al., US Patent 6369821.

As in Claims 1 and 29, Merrill et al. teaches a method and computer program product comprising means for designating a CG object in an image displayed on a display unit ("right-clicking the mouse button while the cursor is positioned over the character", Col. 24, line 67 – Col. 25, line 1), displaying a first command list relating to speech, motion, and moving image or audio reproduction set of the image for editing it (popup menu), selecting a command for editing the object from the command list and executing the command for the object (Col. 25, line 2 et seq.).

As in Claim 14, 22 and 30, Merrill et al. teaches a method, apparatus, and computer program product comprising means for selecting a CG object in an image displayed on a display unit ("right-clicking the mouse button while the cursor is positioned over the character", Col. 24, line 67 – Col. 25, line 1), displaying a first command list relating to speech, motion, and moving image or audio reproduction set of the object for editing it (Col. 25, line 2 et seq.), executing a command immediately before or immediately after the time of execution of the first command (Col. 23, lines 41-50), selecting a required command from the command list, and editing the selected command (Col. 25, lines 6 et seq.).

As in Claim 19, Merrill et al. teaches an apparatus comprising a CG animation generating unit coupled to a display unit for generating an image (Fig. 1, and corresponding text), a recording unit for recording an image generated in the CG animation generating unit (Figure 12. Scripting Engine 506 and corresponding text), a

control unit for controlling the display, CG animation generating unit and the recording unit, the control unit includes means for designating a CG object in an image displayed on a display unit ("right-clicking the mouse button while the cursor is positioned over the character", Col. 24, line 67 – Col. 25, line 1), displaying a first command list relating to speech, motion, and moving image or audio reproduction set of the object for editing it (Col. 25, line 2 et seq.), selecting a command for editing the object from the command list and executing the command for the object (See Claim 1 rejection *supra*).

As in Claims 2 and 15, Merrill et al. teaches displaying modification, change, addition and deletion on display, selecting one of modification, change, addition and deletion ("Add, Insert, Remove, RemoveAll", Col. 26, line 60 et seq.), displaying third commands comprised of setting items including camera, superimposition, sound, mixer, narration and studio set-up by selecting one of modification, change, addition and deletion, and designating one of the third commands in a display window and executing the designated command for the predetermined CG object (Col. 26, line 60 et seq).

As in Claim 3, Merrill et al. teaches the first command list includes commands arranged in chronological order of creation (commands are presented in the order in which they were created for the program).

As in Claims 4, 16, and 20, Merrill et al. teaches determining that an area on a CG studio displayed on the display unit has been selected by a pointing device (see Claim 1 rejection *supra*), determining an area of CG object arranged on the CG studio, in CG studio coordinate, transforming the area of the CG object in CG studio coordinate system to a corresponding area of a virtual 2D coordinate system on display, and

determining whether the CG object has been selected in an area superposed on the coordinate of the position selected by the pointing device in the 2D coordinate system (Col. 12, lines 3-30).

As in Claims 5, 17, Merrill et al. teaches moving a pointing icon located on the CG object on the display by manipulating the pointing device (See rejection of Claim 3 *supra*) and moving the selected CG object with the movement of the pointing icon ("Move to", Col 22 line 64).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 6, 18 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merrill et al., US Patent 6369821, and further in view of Moezzi et al., US Patent 5850352.

Merrill et al. teaches a CG animation generating unit coupled to a display unit for generating an image, a recording unit for recording an image generated in the CG animation generating unit, a control unit for controlling the display, CG animation generating unit and the recording unit, the control unit includes means for designating a CG object in an image displayed on a display unit, displaying a first command list relating to speech, motion, and moving image or audio reproduction set of the object for

editing it, selecting a command for editing the object from the command list, executing the command for the object and executing a command immediately before or immediately after the time of execution of the first command (See Rejection of Claims 1, 14 and 19 *supra*).

As in Claims 6 and 18 While Merrill et al. teaches display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, they fail to show the transforming the coordinate of the pointing icon in the virtual two-dimensional coordinate system to a three-dimensional coordinate value of the CG studio coordinate system and causing the direction and amount of movement of the selected CG object to coincide with the direction and amount, respectively of the pointing icon in the CG studio coordinate system as recited in the claims. In the same field of the invention, Moezzi et al. teaches a computer-generated studio similar to that of Merrill et al. In addition, Moezzi et al. further teaches transforming the coordinate of the pointing icon in the virtual two-dimensional coordinate system to a three-dimensional coordinate value of the CG studio coordinate system and causing the direction and amount of movement of the selected CG object to coincide with the direction and amount, respectively of the pointing icon in the CG studio coordinate system (Col. 12, line 12 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Merrill et al. and Moezzi et al. before him at the time the invention was made, to modify the display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, taught by

Merrill et al. to include the transforming the coordinate of the pointing icon in the virtual two-dimensional coordinate system to a three-dimensional coordinate value of the CG studio coordinate system and causing the direction and amount of movement of the selected CG object to coincide with the direction and amount, respectively of the pointing icon in the CG studio coordinate system of Moezzi et al., in order to obtain a three dimensional implementation of a two dimensional system for controlling and editing a computer generated object by selection and presentation of a command list capable of being edited. One would have been motivated to make such a combination because a more realistic view of an editing environment would have been obtained, as taught by Moezzi et al.

As in Claims 23 and 27, While Merrill et al. teaches display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, they fail to show the determining the plane on which the object moves in the studio in accordance with the azimuth and elevation of the orientation of the camera as recited in the claims. In the same field of the invention, Moezzi et al. teaches a computer-generated interface similar to that of Merrill et al. In addition, Moezzi et al. further teaches determining the plane on which the object moves in the studio in accordance with the azimuth and elevation of the orientation of the camera (Col. 15, line 61 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Merrill et al. and Moezzi et al. before him at the time the invention was made, to modify the display of the first command list after selection of a predetermined CG object, editing a selected command

and executing it immediately before or after another command, taught by Merrill et al. to include the determining the plane on which the object moves in the studio in accordance with the azimuth and elevation of the orientation of the camera of Moezzi et al., in order to obtain virtual movement of the computer generated objects that are edited through the aforementioned interface. One would have been motivated to make such a combination because a realistic implementation of CG movement would have been obtained, as taught by Moezzi et al.

As in Claim 24, While Merrill et al. teaches display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, they fail to show the information on the position and orientation of the camera includes the information on the position and orientation of the camera located on the front, on the right side, left side, just above and at the upper right portion of the CG studio as recited in the claims. In the same field of the invention, Moezzi et al. teaches a computer generated studio similar to that of Merrill et al. In addition, Moezzi et al. further teaches the information on the position and orientation of the camera includes the information on the position and orientation of the camera located on the front, on the right side, left side, just above and at the upper right portion of the CG studio (Figure 1A Cameras). It would have been obvious to one of ordinary skill in the art, having the teachings of Merrill et al. and Moezzi et al. before him at the time the invention was made, to modify the display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, taught by Merrill et al. to include the

information on the position and orientation of the camera includes the information on the position and orientation of the camera located on the front, on the right side, left side, just above and at the upper right portion of the CG studio of Moezzi et al., in order to obtain camera angles all around the CG studio for editing the images. One would have been motivated to make such a combination because a 3 dimensional implementation of CG editing would have been obtained, as taught by Moezzi et al.

As in Claim 25, Merrill et al. teaches means for causing information on the coordinate axis along which the CG object moves to be displayed in a manner clearly discriminable from other information (as the CG object moves the line of sight along the coordinate axis is distinguishable).

As in Claim 26, Merrill et al. teaches displaying a character setup window on the display where the CG object is a CG character (Second Implementation Col. 12, line 32 et seq.) and displaying a property setup window of the display when the CG object is a property (Col. 8, line 38 et seq.).

As in Claim 28, While Merrill et al. teaches display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, they fail to show the azimuth and elevation can be arbitrarily set by the user as recited in the claims. In the same field of the invention, Moezzi et al. teaches a computer-generated interface similar to that of Merrill et al. In addition, Moezzi et al. further teaches the azimuth and elevation can be arbitrarily set by the user (Col. 18, line 31 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Merrill et al. and Moezzi et al. before him

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at the time the invention was made, to modify the display of the first command list after selection of a predetermined CG object, editing a selected command and executing it immediately before or after another command, taught by Merrill et al. to include the azimuth and elevation can be arbitrarily set by the user of Moezzi et al., in order to obtain user control of the azimuth and elevation of camera views of the CG object with the aforementioned editing interface. One would have been motivated to make such a combination because a user-defined view-point for editing different aspects of a character would have been obtained, as taught by Moezzi et al.

Conclusion


The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar computer generated editing interfaces with 3D manipulations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100